

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
PAUL M. LYNCH, CLERK OF THE COURT

DOCKET AND CHRONOLOGY OF PROCEEDINGS
AND PLEADINGS

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1536	2	February	Certificate testifying to illness of accused SHIRATORI.
**	2	February	Hearing in Court Room: Accused HATA, by his counsel, had marked for identification Exhibit No. 3868; accused HIROTA, by his counsel, had marked for identification Exhibit Nos. 3869 to 3878, incl; accused KIDO, by his counsel, had marked for identification Exhibits Nos. 3879, 3880 and 3881; accused MINAMI, by his counsel, had marked for identification Exhibit No. 3882; and accused MUTO, by his counsel, had marked for identification Exhibits Nos. 3883 and 3884.
1537	3	February	Certificate testifying to illness of accused SHIRATORI.
**	3	February	Hearing in Court Room: Accused OSHIMA, by his counsel, had marked for identification Exhibits Nos. 3885, 3886 and 3887. Application by Defense for a recess in order that they may have time to prepare documentary evidence in rebuttal to Prosecution's evidence. Ordered: Application granted and Court will be in recess until Monday, 9 February 1948 at 0930 hours.
1538	9	February	Motion to dismiss on behalf of certain defendants directed to the jurisdiction of the Tribunal and powers vested in the Supreme

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Commander, Allied Powers for the Pacific.

1538-A 9 February Observations in relation to the motion to dismiss directed to the jurisdiction of the Tribunal and powers vested in the Supreme Commander, Allied Powers for the Pacific.

1539 9 February Order granting application of Defense for a recess of the Tribunal. Nonc pro tunc - 3 February 1948.

1540 9 February Oath of witness.

1541 9 February Certificate testifying to illness of accused SHIRATORI.

** 9 February Hearing in Court Room: Accused KOISO, by his counsel, had marked for identification Exhibits Nos. 3888 and 3889; accused TOJO, by his counsel, had marked for identification Exhibits Nos. 3890, 3891, 3892 and 3893; accused SHIRATORI, by his counsel, had marked for identification Exhibit No. 3894; accused SHIGEMITSU, by his counsel, had marked for identification Exhibits Nos. 3895, 3896, 3897 and 3898; accused ITAGAKI, by his counsel, had marked for identification Exhibit No. 3899; accused TOGO, by his counsel, had marked for identification Exhibits Nos. 3900, 3901, 3902 and 3902-A. Defense had marked for identification Exhibits Nos. 3903, 3904 and 3905 as surrebuttal evidence for the Russian phase. Oral applications by Defense for orders dismissing witnesses UGAKI, Kazushige and HOGEN, Shinsaku.

1542 10 February Supplement to the general motion

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to dismiss on behalf of some defendants, which was filed at the conclusion of Prosecution evidence and renewed at the conclusion of all the evidence.

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| 1543 | 10 | February | Order granting application for withdrawal of Defense Document No. 3072, presently in possession of the Clerk of the Tribunal. |
| 1544 | 10 | February | Certificate testifying to illness of accused SHIRATORI. |
| 1545 | 10 | February | Correspondence between Justice Northcroft and General MacArthur relative to appointment of American Counsel for Defense. |
| ** | 10 | February | Hearing in Court Room: Accused UMEZU, by his counsel, had marked for identification Exhibit No. 3906; accused OSHIMA, by his counsel, had marked for identification Exhibits Nos. 3907, 3908, 3909, 3910 and 3911. Oral application by Defense counsel for order releasing book entitled "Nazi-Soviet Relations - 1939-1941". Granted. Oral application by Defense for order dismissing witness SUZUKI, Tadakatsu. Granted. Accused KIDO, by his counsel, had marked for identification Exhibits Nos. 3912, 3913, 3914 and 3915. J. G. Brannon, Defense Counsel, offered into evidence Defense Documents Nos. 3088-A and 3088-B showing communication from the Tribunal to the Supreme Commander and from Supreme Commander to Tribunal relative to appointment of counsel for each accused. Ordered: This cannot be received in evidence but may be filed as of record. Defense counsel announced |

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termination of presenting actual evidence. Defense presented motions to dismiss, as well as renewing the motions made to dismiss at the close of the Prosecution's case, as they relate to the indictment and all counts thereof and to each and every accused. Ordered: Motions and applications are overruled and denied.

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| 1546 | 11 | February | Appointment and acceptance of TANAKA, Tadakatsu as Associate Counsel for accused KIMURA. |
| 1547 | 11 | February | Application for leave to withdraw certain documents. |
| 1548 | 11 | February | Application on behalf of Prosecution for leave to withdraw Exhibit No. 3834 - Vol. I to V, incl. of the record of the trial United States of America vs. SAWADA, Shigeru, et al. |
| 1549 | 11 | February | Application by Prosecution for leave to withdraw its Document No. 1744, portions of which are now Court Exhibit No. 323, being a volume entitled "Documents of the Nanking Safety Zone", by Shuhsing Hsu. |
| 1550 | 11 | February | Order dismissing supplement to the general motion to dismiss on behalf of some defendants filed at the conclusion of Prosecution's evidence and renewed at the conclusion of all evidence. |
| 1551 | 11 | February | Order dismissing motion on behalf of certain accused directed to the jurisdiction of the Tribunal and the powers vested in the Supreme Commander Allied Powers. |

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1552	11	February	Order dismissing applications to dismiss and for a finding of not guilty.
1553	11	February	Certificate testifying to illness of accused SHIRATORI.
**	11	February	Hearing in Court Room: Trial resumed by reading of the Prosecution's summation.
1554	12	February	Order directing Clerk to mark original exhibits so as to indicate portions rejected and also to prepare certain instruments clarifying language corrections.
1555	12	February	Order authorizing photographing or photostating or micro-filming of all exhibits.
1556 - 1557	12	February	Certificates testifying to illness of accused SHIRATORI and UMEZU.
1558	12	February	Order granting withdrawal from the files of the Tribunal of Court Exhibit No. 3834 for Identification Only.
1559	12	February	Order granting withdrawal from files of Tribunal of IPS Document No. 1744, a book entitled "Documents of the Nanking Safety Zone."
**	12	February	Hearing in Conference Room: Hearing on request by Supreme Commander to micro-film all exhibits now in custody of Court Clerk. Granted. Hearing relative to language corrections filed with original exhibits. Ordered: Clerk to make these corrections. Hearing on Paper No. 1548, application by Prosecution for leave to withdraw Exhibit No. 3834, Vol. I to V of the record of the U.S. of America

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vs. SAWADA, Shigeru, et al, and
Paper No. 1549, application by
Prosecution for leave to withdraw
its Document No. 1744, portions
of which are now Court Exhibit No.
343. Ordered: Both applications
granted with certain reservations.

**	12	February	Hearing in Court Room: Further reading of the Prosecution's sum- mation.
1560	13	February	Certificate testifying to illness of accused UMEZU.
**	13	February	Hearing in Court Room: Further reading of Prosecution's summation.
1561	16	February	Certificate testifying to illness of accused UMEZU.
1562	16	February	Withdrawal of Ryoichi Omuro as Associate Counsel for accused MATSUI.
**	16	February	Hearing in Court Room: Trial re- sumed by further reading of Prose- cution's summation.
1563	17	February	Order granting withdrawal from files of Tribunal of Court Exhibits Nos. 2651, 2652 and 2654 for Iden- tification Only. (Disposes of 1547).
1564 - 1565	17	February	Certificates testifying to illness of accused SATO and UMEZU.
**	17	February	Hearing in Conference Room: Hear- ing on Paper No. 1547, being an application to withdraw from the files of the Tribunal Exhibit 2651 for Identification Only, Exhibit 2652 and Exhibit 2654, both for Identification Only. Ordered: Granted.

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**	17	February	Hearing in Court Room: Trial resumed by further reading of Prosecution's summation.
1566 - 1567	18	February	Certificates testifying to illness of accused SATO and UMEZU.
**	18	February	Hearing in Court Room: Trial resumed by further reading of Prosecution's summation.
1568	19	February	Certificate testifying to illness of accused UMEZU.
**	19	February	Hearing in Court Room: Trial resumed by further reading of Prosecution's summation.
1569	20	February	Certificate testifying to illness of accused UMEZU.
**	20	February	Hearing in Court Room: President announced that Court will not sit on Monday, 23 Feb. in observance of Washington's birthday. Further reading of Prosecution's summation.
1570	24	February	Certificate testifying to illness of accused UMEZU.
**	24	February	Hearing in Court Room: Trial resumed by further reading of Prosecution's summation.
1571	25	February	Certificate testifying to illness of accused UMEZU.
**	25	February	Hearing in Court Room: Trial resumed by further reading of Prosecution's summation.
1572	26	February	Certificate testifying to illness of accused UMEZU.

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**	26	February	Hearing in Court Room: Trial resumed by further reading of Prosecution's summation.
1573	27	February	Certificate testifying to illness of accused UMEZU.
**	27	February	Hearing in Court Room: Trial resumed by further reading of the Prosecution's summation.
1574 - 1575	1	March	Certificates testifying to illness of accused UMEZU and MUTO.
1576	1	March	Motion by Defense for the entry of an order nunc pro tunc admitting into evidence two maps.
**	1	March	Hearing in Court Room: Trial resumed by further reading of Prosecution's summation.
1577 - 1580	2	March	Certificates testifying to illness of accused UMEZU, HIROTA, ARAKI and HIRANUMA.
**	2	March	Hearing in Court Room: Trial resumed and Prosecution concluded the reading of their summation. Defense began the reading of their summation.
1581	3	March	Application on behalf of Prosecution for leave to withdraw from the files of the Tribunal Court Exhibit No. 3572.
1582 - 1585	3	March	Certificates testifying to illness of accused UMEZU, HIROTA, HIRANUMA and ARAKI.
**	3	March	Hearing in Conference Room: Hearing on Paper No. 1576, application by Defense for entry of an order nunc pro tunc admitting into evidence two maps, Exhibits Nos. 2651

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and 2652 for Identification.
Ordered: Application will be put before all Judges for consideration. Hearing on Paper No. 1581, application on behalf of Prosecution to withdraw from the files of the Tribunal Exhibit 3572 for Identification Only. Ordered: Application granted upon condition that exhibit remain in files of the Tribunal for ten days in order that Defense may have time to make objection if they desire.

**	3	March	Hearing in Court Room: Trial resumed by further reading of Defense's summation.
1586 - 1589	4	March	Certificates testifying to illness of accused ARAKI, HIROTA, HIRANUMA and UMEZU.
1590	4	March	Order granting leave to withdraw Court Exhibit No. 3572 for Identification Only from the files of the Tribunal.
**	4	March	Hearing in Court Room: Trial resumed by further reading of Defense's summation.
1591	5	March	Application on behalf of Defense for leave to withdraw from the files of the Tribunal Court Exhibit No. 3545.
1592 - 1595	5	March	Certificates testifying to illness of accused ARAKI, HIRANUMA, HIROTA and UMEZU.
**	5	March	Hearing in Court Room: Trial resumed by further reading of Defense's summation.

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1596 - 1599	8	March	Certificates testifying to illness of accused HIRANUMA, HIROTA, SHIRATORI and UMEZU.
**	8	March	Hearing in Court Room: Trial resumed by further reading of Defense's summation.
1600 - 1603	9	March	Certificates testifying to illness of accused SHIRATORI, HIROTA, HIRANUMA and UMEZU.
**	9	March	Hearing in Court Room: Trial resumed by further reading of Defense's summation.
1604 - 1607	10	March	Certificates testifying to illness of accused HIRANUMA, HIROTA, SHIRATORI and UMEZU.
**	10	March	Hearing in Court Room: Trial resumed by further reading of Defense's summation.
1608 - 1611	11	March	Certificates testifying to illness of accused SHIRATORI, HIRANUMA, UMEZU and HIROTA.
**	11	March	Hearing in Court Room: Trial resumed by further reading of Defense's summation.
1612 - 1615	12	March	Certificates testifying to illness of accused HIRANUMA, HIROTA, SHIRATORI and UMEZU.
**	12	March	Hearing in Court Room: Trial resumed by further reading of Defense's summation
1616 - 1621	15	March	Certificates testifying to illness of accused HIRANUMA, HIROTA, MATSUI, SHIGEMITSU, SHIRATORI and UMEZU.
**	15	March	Hearing in Court Room: Trial resumed by further reading of Defense's summation.

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1622 - 1625	16	March	Certificates testifying to illness of accused HIRANUMA, HIROTA, SHIRATORI and UMEZU.
**	16	March	Hearing in Court Room: Trial resumed by further reading of Defense's summation.
1626 - 1629	17	March	Certificates testifying to illness of accused HIRANUMA, HIROTA, SHIRATORI and UMEZU.
**	17	March	Hearing in Court Room: Trial resumed by further reading of Defense's summation.
1630 - 1631	18	March	Certificates testifying to illness of accused SHIRATORI and UMEZU.
**	18	March	Hearing in Court Room: Trial resumed by further reading of Defense's summation.
1632 - 1633	19	March	Certificates testifying to illness of accused SHIRATORI and UMEZU.
**	19	March	Hearing in Court Room: Trial resumed by further reading of Defense's summation.
1634 - 1636	22	March	Certificates testifying to illness of accused MATSUI, SHIRATORI and UMEZU.
**	22	March	Hearing in Court Room: Trial resumed by further reading of Defense's summation.
1637 - 1639	23	March	Certificates testifying to illness of accused MATSUI, SHIRATORI and UMEZU.
**	23	March	Hearing in Court Room: Trial resumed by further reading of Defense's summation.

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1640 - 1642	24	March	Certificates testifying to illness of accused MATSUI, SHIRATORI and UMEZU.
**	24	March	Hearing in Court Room: Trial resumed by further reading of Defense's summation.
1643 - 1644	25	March	Certificates testifying to illness of accused SHIRATORI and UMEZU.
**	25	March	Hearing in Court Room: Trial resumed by further reading of Defense's summation.
1645 - 1646	26	March	Certificates testifying to illness of accused SHIRATORI and UMEZU.
**	26	March	Hearing in Court Room: Trial resumed by further reading of Defense's summation.
1647 - 1648	29	March	Certificates testifying to illness of accused SHIRATORI and UMEZU.
**	29	March	Hearing in Court Room: Trial resumed by further reading of Defense's summation.
1649 - 1650	30	March	Certificates testifying to illness of accused SHIRATORI and UMEZU.
**	30	March	Hearing in Court Room: Trial resumed by further reading of Defense's summation.
1651 - 1652	31	March	Certificates testifying to illness of accused SHIRATORI and UMEZU.
**	31	March	Hearing in Court Room: Trial resumed by further reading of Defense's summation.
1653	1	April	Application for permission to file the affidavit of General George C. Marshall (Retired), present

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Secretary of State of the United States, in behalf of accused OSHIMA.

1654	1	April	Order granting withdrawal from the files of the Tribunal of Court Exhibit No. 3545 for Identification Only.
1655 - 1656	1	April	Certificates testifying to illness of accused SHIRATORI and UMEZU.
**	1	April	Hearing in Conference Room: Hearing on Paper No. 1591, application on behalf of Defense for leave to withdraw from the files of the Tribunal Court Exhibit No. 3545 for Identification Only. Ordered: Granted.
**	1	April	Hearing in Court Room: Trial resumed by further reading of Defense's summation.
1657 - 1659	2	April	Certificates testifying to illness of accused MATSUI, SHIRATORI and UMEZU.
**	2	April	Hearing in Court Room: Trial resumed and Defense presented a written motion to reopen the case for purpose of admitting into evidence Defense Document No. 3300 and the Tribunal admitted said document into evidence to the extent of first question and answer only. Further reading of Defense's summation continued.
1660 - 1662	5	April	Certificates testifying to illness of accused MATSUI, SHIRATORI and UMEZU.
**	5	April	Hearing in Court Room: Trial of case resumed by further reading of Defense's summation. In observance

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of Army Day, April 6, Court will not sit tomorrow.

1663 7 April Order reopening Defense case and admitting portion of the affidavit of the Honorable George C. Marshall as an exhibit.

1664 - 1666 7 April Certificates testifying to illness of accused MATSUI, SHIRATORI and UMEZU.

** 7 April Hearing in Court Room: Trial resumed by further reading of Defense's summation.

1667 7 April Application on behalf of Defense for leave to withdraw from the files of the Tribunal Court Exhibits for Identification.

1668 - 1670 8 April Certificates testifying to illness of accused MATSUI, SHIRATORI and UMEZU.

** 8 April Hearing in Court Room: Trial resumed by further reading of Defense's summation.

1671 - 1672 9 April Certificates testifying to illness of accused SHIRATORI and UMEZU.

** 9 April Hearing in Court Room: Trial resumed by further reading of Defense's summation.

1673 12 April Application by Defense for leave to withdraw originals from the files and to substitute photostatic copies therefor.

1674 - 1675 12 April Certificates testifying to illness of accused SHIRATORI and UMEZU.

** 12 April Hearing in Court Room: Trial resumed by further reading of Defense's summation.

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1676	13	April	Application on behalf of Defense for leave to withdraw from the files of the Tribunal Court Exhibits for Identification.
1677 - 1678	13	April	Certificates testifying to illness of accused SHIRATORI and UMEZU.
1679	13	April	Affirmation of Justice Pal (Justice from India). Nunc pro tunc - May 17, 1947.
1680	13	April	Request of accused KIDO, Koichi for the return of a document.
**	13	April	Hearing in Court Room: Trial resumed by further reading of Defense's summation.
1681 - 1682	14	April	Certificates testifying to illness of accused SHIRATORI and UMEZU.
**	14	April	Hearing in Court Room: Trial resumed by further reading of Defense's summation.
1683	15	April	Application on behalf of Defense for leave to withdraw from the files of the Tribunal Court Exhibits for Identification.
1684	15	April	Application on behalf of Defense for leave to withdraw from the files of the Tribunal Court Exhibits for Identification.
1685 - 1686	15	April	Certificates testifying to illness of accused SHIRATORI and UMEZU.
**	15	April	Hearing in Conference Room: Hearing on Paper No. 1667, application on behalf of Defense for leave to withdraw from the files of the Tribunal Court Exhibits for Identification. Ordered: Granted for return of two exhibits (Nos. 2473 and 2447 but application deferred

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for further consideration on return of other exhibit (2446). Hearing on Paper No. 1673, application on behalf of accused OSHIMA for permission to withdraw a certain number of affidavits (Exhibits Nos. 2762, 2744, 3503 and 3765-B). Ordered: Denied. Hearing on Paper No. 1676, application on behalf of Defense for leave to withdraw from files of Tribunal Court Exhibits for Identification. Ordered: Granted with exception of three which are in evidence (Nos. 2413, 2785 and 2794) as return of these three is deferred for further consideration. Hearing on Paper No. 1683, application on behalf of Defense for leave to withdraw from the files of the Tribunal Court Exhibits for Identification. Ordered: Granted for return of those exhibits which have been tendered for identification only but return of those offered in evidence is deferred for further consideration. Hearing on Paper No. 1684, application by Defense for leave to withdraw from files of Tribunal Court Exhibits for Identification. Ordered: Granted, provided said Exhibit (No. 2773) is for identification only.

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| ** | 15 | April | Hearing in Court Room: Trial resumed and Defense concluded reading of their summation. Prosecution began reading of their reply to Defense's summation. |
| 1687 | 16 | April | Application on behalf of Defense for leave to withdraw file of the Tribunal (Exhibit 3235 for Identification Only). |

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1688 - 1689	16	April	Certificates testifying to illness of accused SHIRATORI and UMEZU.
1690	16	April	Application on behalf of Defense for leave to withdraw Court Ex- hibits for Identification Nos. 2647 and 3553.
1691	16	April	Order granting application to withdraw Exhibits Nos. 2447 and 2473 for Identification Only and Denying Application to Withdraw Exhibit No. 2446 from files of Tribunal.
1692	16	April	Order denying application for withdrawal of Exhibits Nos. 2744, 2762, 2765-B and 3503 from files of Tribunal.
1693	16	April	Order granting application to withdraw Exhibits Nos. 2771, 2772, 2774, 2777, 2778, 2780, 2781, 2795 and 2796 for Identification Only, and denying application to with- draw Exhibits Nos. 2413, 2785 and 2794.
1694	16	April	Order granting application to withdraw Exhibit No. 3752 for Identification Only.
1695	16	April	Order granting application to withdraw Exhibits Nos. 3665, 3669, 3677, 3678 and 3684 and denying application to withdraw Exhibits Nos. 3663, 3664 and 281.
1696	16	April	Order granting application to withdraw Exhibit No. 3773 for Identification Only.
**	16	April	Hearing in Court Room: Trial re- sumed and Prosecution concluded their reply to Defense's summation. Court adjourned until date to be announced later.

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1697	22	April	Application on behalf of Defense for leave to withdraw from files of Tribunal Court Exhibits for Identification.
1698	26	April	Application on behalf of Defense for leave to withdraw from files of Tribunal Court Exhibits for Identification.
1699	30	April	Order granting withdrawal from the files of Tribunal of Court Exhibit No. 3235 for Identification Only.
1700	30	April	Order granting withdrawal from the files of Tribunal of Court Exhibits Nos. 2647 and 3553 for Identification Only.
1701	30	April	Order granting withdrawal from the files of Tribunal of Court Exhibits Nos. 2355, 2356, 2357, 2358, 2359 and 2360 for Identification Only.
1702	30	April	Order granting withdrawal from the files of Tribunal of Court Exhibits Nos. 2771, 2772, 2773, 2774, 2777, 2778, 2780, 2781 and 2792 for Identification Only.